

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5425 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioners, who are arrayed as Accused Nos.2 and 3 in the event of their arrest in Crime No.89 of 2022 on the file of Station House Officer, Bichkunda Police Station, Kamareddy District registered for the offences punishable under Sections 307 and 324 read with Section 34 of Indian Penal Code.

2. Heard the learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that on 27.05.2022 these petitioners who are Accused Nos.2 and 3 along with Accused Nos.1, 4 and 5 attacked Janaki Ganesh Gonda and Janaki Suresh Gonda who are the brothers of the *de facto* complainant and that the said altercation took place due to previous enmity regarding land disputes.

4. Learned counsel for the petitioners submits that there are no specific allegations against these petitioners in the said altercation, for the said reason of previous enmity as stated in the complaint, they have filed a false complaint against these petitioners.

5. On instructions learned Assistant Public Prosecutor submits that the injuries received are simple in nature.

6. As seen from the remand report, there are no specific overtacts attributed to these petitioners. Since injuries received are simple in nature and the Accused Nos.1, 4 and 5 were already arrested, custodial interrogation of these petitioners is not warranted and the petitioners can be granted the relief of anticipatory bail.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused are directed to surrender before the Station House Officer, Bichkunda Police Station, Kamareddy District within one week from today, and on such surrender, they shall be enlarged on bail on their executing a personal bond for a sum of

Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioners/Accused shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of two (02) months or until filing of charge sheet, whichever is earlier.

iii) The petitioners/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

8. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

K.SURENDER, J

Date: 01.07.2022
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